

MEMORANDUM FOR DRU\_HEADS  
MISSION ELEMENT LEADERS

FROM: USAFA/CC  
2304 Cadet Drive, Suite 3300  
USAF Academy, CO 80840

SUBJECT: Guidance Memorandum, United States Air Force Academy (USAFA) Branding and Trademark Policy

This Guidance Memorandum (GM), effective immediately, implements the authorities in 10 U.S.C. § 2260, *Licensing of intellectual property; retention of fees*; Department of Defense Instruction (DoDI) 5535.12, *DoD Branding and Trademark Licensing Program Implementation* (September 13, 2013); and Air Force Instruction (AFI) 35-114, *Air Force Branding and Trademark Licensing Program* (March 26, 2015), the latter of which delegates authority to the USAFA Superintendent, “to establish and administer the USAFA Brand, to include USAFA trademarks comprising the Brand.” As such, this GM provides background on the USAFA Brand and establishes policy guidance for those who use USAFA unique marks, logos, names, terms, designs, and symbols (hereinafter “indicia” or “property”). This GM does not create any enforceable rights or privileges as against the DoD, the U.S. Air Force (USAF), or USAFA.

**Applicability.** This GM applies to any and all persons (including organizations and corporations) desiring to use USAFA indicia or property. Exceptions with regard to the Air Force Academy Athletic Corporation (AFAAC) are noted throughout. This GM does not apply to Morale Welfare and Recreation (MWR) commercial sponsorship programs, which are governed by AFI 34-108, *Commercial Sponsorship and Sale of Advertising*.

**Responsible Staff.** The Marketing Division of the Directorate of Strategic Communications (USAFA/CM) is the Office of Primary Responsibility (OPR) and manages the USAFA Brand and trademark portfolio on behalf of the Superintendent. Send all inquiries about Branding and trademarks to USAFA/CM at: [Strategic.Communication@usafa.edu](mailto:Strategic.Communication@usafa.edu) or 719-333-7818.

**General Policy.** The intent of this policy is to provide guidance and clarification of brand representation and trademark usage for all USAFA stakeholders. The various USAFA indicia, such as marks and verbiage, that are part of USAFA’s Brand, distinguish USAFA from other components within the Department of Defense (DoD), USAF and higher education institutions. It is USAFA policy to enhance and promote the USAFA Brand, in part, by establishing and maintaining a program to license such indicia owned or controlled by USAFA and the USAF, to protect such from unauthorized use, and to register qualifying marks with the United States Patent and Trademark Office (USPTO). Thus, USAFA's institutional indicia are registered with the USPTO and/or protected under State and common law and are property of USAFA. The USAFA property includes, but is not limited to, words, slogans, names, abbreviations, seals, crests, emblems, insignia, designs, symbols, logos, and/or distinctive images. All such property belongs to the USAF. Even absent formal registration, many names, logos,

symbols, insignia, official unit patches, and other devices unique to the USAFA are integral components of the USAFA Brand and shall be handled consistent with this GM, unless otherwise noted. Protected USAFA property can be found on the Art Sheet provided on CM SharePoint, or by calling the CM office.

**Unique Brand.** The USAFA develops, inspires, and trains the leaders of tomorrow's USAF. Established in 1955 as the Air Force's elite commissioning source, the USAFA remains a world-class university, designed for academic excellence, military training, athletics, and character development, to forge officers of character to lead the total force of active duty, reserve, guard, enlisted, civilian and community members, who serve and defend our nation. The USAFA is the Air Force's Academy. All requests to use USAFA property will be measured against the USAFA mission and Brand.

**Brand Integrity.** USAFA property must be reproduced in accordance with USAFA Brand standards, in accordance with the USAFA Brand Guide. Maintaining Brand integrity is critical to:

- Enhance the name, reputation and public goodwill of the USAFA by ensuring the Brand is recognizable and used in a consistent, responsible, and lawful manner by both internal and external users.
- Control appropriate trademark licensing activities that associate the Brand with affordable, quality products and consistent with Air Force standards.
- Support USAFA and Air Force recruiting and retention efforts.

The USAFA Brand Guide, as well as approved encapsulated postscript files (EPS) and tagged image files (TIF) suitable for high quality printing/design production, are available on the CM SharePoint site or by contacting USAFA/CM.

**Permission.** Unless otherwise noted herein, express permission ("license") is required to reproduce USAFA property for any purpose, including the offer or sale of any items bearing USAFA indicia, whether or not a profit is realized, as well as the use of USAFA indicia to promote events and activities which include commercial sponsorship and/or fundraising. Different requirements apply, depending on the user, discussed below.

- **Internal U.S. Government (USG) Use.** Internal USG users include, but are not limited to, USAFA directorates, cadets, departments, cadet clubs, staff, and faculty. Internal users may use the "AF" logo, without additional licensure, in support of, or in connection with, USAFA official events, activities, and operations (e.g., business cards, letterhead, morale shirts, etc). However, such use requires notice to USAFA/CM and proof of use of a licensed vendor and USAFA/CM approval of design, discussed further below. Other uses and property require advance authorization from USAFA/CM. Non-authorized property is prohibited from representing USAFA during official events, activities, and operations. This includes class crests, which generally should not be used to represent USAFA during official events, activities, and operations. Templates are available on the CM SharePoint site for items such as business cards, slides and letter head. If using a provided template,

CM approval is not required. Non-official use of USAFA property is also prohibited by internal USG users, without advance approval by USAFA/CM (and an appropriate license).

- **USAFA Supporting Groups.** USAFA supporting groups include parent groups, spirit committees, USAFA's supporting foundations, and approved private organizations. For purposes of this GM only, the USAFA's supporting foundations include: the Association of Graduates, USAFA Endowment, the Academy Research and Development Institute, the Friends of the Library, the Falcon Foundation and the Air Force Academy Foundation. The Air Force Academy Athletic Corporation (AFAAC) is addressed separately below. USAFA's supporting groups must obtain USAFA/CM approval in advance of using USAFA property for any purpose. USAFA/CM approval requires proof of use of a licensed vendor and USAFA/CM approval of design, discussed further below. Additionally, any proposed sale of merchandise on USAFA grounds requires additional approvals in accordance with USAFAI 51-902, *Fundraising and On-Base Solicitation*.
- **AFAAC.** In accordance with authorizing legislation, 10 U.S.C. §9362, *Support of Athletic Program*, and relevant delegations, the AFAAC is authorized to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the USAFA. As such, the USAFA has entered into a special license, *Department of the Air Force Trademark and Service Mark Agreement Under 10 USC 9362, effective September 5, 2018* (hereinafter "AFAAC TM License"), allowing the AFAAC to use, and permitting others to use, such marks, the terms of which, in conjunction with other authorities, such as the *SAF/MR Policy on Corporate Sponsorship by the AFAAC On or Using Government Property*, control the terms of AFAAC's use of USAFA's property, and are not otherwise affected by this Guidance Memorandum. However, processes for execution of the AFAAC TM License, are discussed further below.
- **Other External Use.** Any user, other than those listed above, will be considered external. All external use of the USAFA brand requires USAFA/CM approval and an appropriate license.

**Licensed Vendors.** Regardless of the status of the user, all items bearing USAFA property must be produced by a licensed vendor. This is so, even when royalties are not charged, which is the case for internal USG use. USAFA/CM approval of use of USAFA property will require verifiable proof of production by a licensed vendor. A list of approved licensees is available on the Air Force Public Affairs Agency (AFPAA) -hosted website at <https://www.trademark.af.mil/Licensing/Current-Licensees/>. When a licensed vendor is not listed on this AFPAA-hosted website, a requestor must obtain permission for merchandise or vendors through a different AFPAA-hosted website: <https://www.trademark.af.mil/Licensing/Applications/Public-Use>. Only AFPAA may grant exceptions to this requirement. (Note – Through the TM License, AFAAC is authorized to use other licensed vendors).

**Production Review/Standards.** USAFA/CM must review and approve all final art designs and detailed product descriptions prior to any financial commitment/promise of payment for reproduction or any actual reproduction/manufacture of USAFA property. Refer to the USAFA Brand Guide for design requirements. Submit sample materials to USAFA/CM. AFAAC reviews are discussed separately below.

**Use Parameters.** Any use of USAFA property is subject to the following non-exhaustive conditions. Use will not:

- Promote or suggest discrimination based on race, color, national origin, religion, gender, age, sexual orientation, or disability;
- Promote, support, or endorse ideological movements, sociopolitical change, religious beliefs (including non-belief), specific interpretations of morality, or legislative/statutory change;
- Create associations inconsistent with the USAFA Brand, image, and/or mission, such as with: inherently dangerous products (firearms, explosives, and fuels); distilled alcohol and malt beverages; tobacco products; games of chance; sexual products; and obscene or disparaging products and services;
- Reflect unfavorably or negatively upon the USAFA, USAF, DoD or the U.S.;
- Degrade the name, reputation, or public goodwill of the USAFA, USAFA, DoD or the U.S.;
- Be contrary to DoD community relations objectives;
- Be inconsistent or incompatible with, or result in a violation of, applicable law or regulations including fraudulent or wrongful affixture pursuant to sections 506 and 1017 of Title 18, U.S.C.
- Reflect unfavorably upon or otherwise adversely impact the ability of the USAFA, USAF, DoD or any employee or member thereof to carry out any responsibility or duty in a fair and objective manner;
- Compromise the integrity or appearance of integrity of any USAFA, USAF, DoD program or any individual involved in such a program;
- Create an unfavorable appearance of USAFA, USAF, DoD endorsement, official sanction or support, advertising or commercial sponsorship of any non-federal entity or its products and services, unless otherwise authorized by law.

**Improper Modification.** While USAFA property may vary in size, it may never be modified. For further information on improper modification, refer to the USAFA Brand Guide.

**Personalization.** Personalization using USAFA property is generally prohibited. USAFA/CM may otherwise grant permissions on a case-by-case basis.

**Co-Branding.** Use of third party logos in conjunction with USAFA property is also generally prohibited. Under the Trademark License and SAF/MR Commercial Advertising policy, the AFAAC has authority to do so. USAFA/CM may otherwise grant permissions on a case-by-case basis.

**Derivative Marks.** USAFA does not permit any organization to create derivative marks, unless otherwise explicitly authorized.

**AFAAC Review Process.** In a Headquarters oversight role, USAFA/CM will, at a minimum, obtain and review the following information with regard to AFAAC's use of USAFA property, consistent with AFAAC Management Review (AMR) guidance:

- Quarterly income received IAW AFAAC TM License, Attachment 4.
- Annual written business plan with an estimate of AFAAC revenue and profits to be generated by each activity: merchandizing, marketing, sponsorships, and any supplements thereto (but prior to use of USAFA property). The plan must contain sufficient information upon which to base decisions to fulfill Superintendent responsibilities outlined in SAF/MR delegations and the AFAAC TM license relating to propriety and Branding (e.g., name of sponsor and a sample of sponsorship contents including words and images);
- At reasonable intervals: review of third party contracts; copies of government audits; reasonable inspection of specimen samples; and AFAAC future plans to expand the portfolio. This presumes regular USAFA/CM communication with the Sports Information Director (SID) and the AFAAC.

USAFA/CM will, with the assistance of the A5/8 AFAAC Program Manager and the SID, periodically conduct random spot-checks to ensure AFAAC's compliance with SAF/MR *Policy on Corporate Sponsorship Advertisement by AFAAC On or Using Government Property*, May 16, 2018, including appropriate use of disclaimers, and report the results of the same to the Superintendent during an appropriate AMR.

This GM will expire in one year, or upon incorporation of its contents in a USAFA Supplement to AFI 35-114, whichever is sooner.

JAY B. SILVERIA, Lt Gen, USAF  
Superintendent

